

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LAURA MARY NASTASE,)	
)	
Plaintiff,)	Case No. C09-1138-RAJ
)	
v.)	
)	ORDER
BENJAMIN SANDERS, <i>et al.</i> ,)	
)	
Defendants.)	
)	

Having reviewed defendants' motion for summary judgment (Dkt. 31), all responses, plaintiff's pending motions (Dkts. 35, 38, 39, 40), the Report and Recommendation of United States Magistrate Judge Brian A. Tsuchida, the governing law, and the balance of the record, the Court does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation¹;
- (2) Defendants' motion for summary judgment is **GRANTED** and defendants are afforded judgment as a matter of law on all claims;
- (3) Plaintiff's motions (Dkt. 35, 38, 39, 40) are **DENIED**;
- (4) The Clerk of Court is directed to send copies of this Order to plaintiff and to

¹ The cover letter accompanying the Report and Recommendation included the following statement: "Failure to file objections within the specified time waives the right to appeal any order by the District Court adopting this report and recommendation." Although a failure to file objections may mean that an appellate court will not review certain issues, it is not a waiver of the right to appeal. *See, e.g., Robbins v. Carey*, 481 F.3d 1143, 1146-47 (9th Cir. 2007). A party wishing to appeal the court's judgment despite not objecting to the Report and Recommendations may disregard the quoted sentence in the cover letter.

1 Magistrate Judge Brian A. Tsuchida.

2 DATED this 15th day of April, 2010.

3
4 A handwritten signature in black ink, reading "Richard A. Jones". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

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6 The Honorable Richard A. Jones
7 United States District Judge
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